B10 (Official Form)Rev 6/91

| C | 71-1 File | ed 09/25/09 |   |
|---|-----------|-------------|---|
|   | Exhibit   | Page 1 of   | 5 |

| Bio (Official Forfigiece 6/31  |  |   | _                               |  |  |
|--|--|---|---------------------------------|--|--|
| United States Ba   |  | DROOF OF CLAIM  |                                 |  |  |
| CENTRAL DISTRIC In re(Name of Debtor) DOUGLAS  |  | PROOF OF CLAIM  Case Number 03-17833  | _                               |  |  |
| ,  |  |   |                                 |  |  |
| Note: This form should not be used to make a claim for an administrative expense arising after the commencement of the case.  A "request" of payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.  |  |   |                                 |  |  |
| Name of Creditor:  |  | Check box if you are aware that anyone else has file  |                                 |  |  |
| (The person or entity to whom the<br>BMW BANK OF NORTH AMERI<br>of BMW FINANCIAL SERVICES  | CA, a wholly owned subsidiary              | a proof of claim relating to your claim. Attach copy of statement giving particulars.                 | f                               |  |  |
| Name and Addresses Where Notic   |  |   |                                 |  |  |
| BMW FINANCIAL SERVICES N   | A, LLC                                     | Check box if you have never received any notice from the bankruptcy court in this case.               |                                 |  |  |
| 5515 PARKCENTER CIRCLE<br>DUBLIN, OHIO 43017   |  | non the standard to the and the   | THIS SPACE IS<br>FOR COURT US   |  |  |
| Telephone No: 1-800-398-3939<br>Shawntee R. Jackson  | EXT 7407                                   | ☐ Check box if the address differs from the address of the envelope sent to you by the court.         | on ONLY.                        |  |  |
| Account or other number by which   | creditor identifies debtor:                | replaces  | <u></u>                         |  |  |
| 1000062701   |  | Check here if this claim: a previously filmamends   | ed claim, dated: ————           |  |  |
| 1. BASIS FOR CLAIM:  |  | Delines have the se defined in 11 U.S.C. \$ 1114/s)   |                                 |  |  |
| Goods sold Services performed  |  | Retiree benefits as defined in 11 U.S.C. § 1114(a) Wages, salaries, and compensations (Fill out below | ')                              |  |  |
| Money loaned   |  | Your social security number   | .'                              |  |  |
| Personal injury/wrongful deatl   | h  | Unpaid compensations for services performed   |                                 |  |  |
| ☐ Taxes ☐ Other (Describe briefly)   |  | from to   |                                 |  |  |
| 2. DATE DEBT WAS INCURRED:   | NOVEMBER 20, 2001                          | 3. IF COURT JUDGMENT, DATE OBTAINED   | :                               |  |  |
| A CLASSIEICATION OF CLAIM  | Under the Bankminton Code all cla          | ims are classified as one or more of the following: (1)Uns  | Sourced poppriority             |  |  |
|  |  | be in one category and part in another.   | secured nonpriority,            |  |  |
|  |  | r claim and STATE THE AMOUNT OF THE CLAIM.  |                                 |  |  |
|  |  | I   |                                 |  |  |
| SECURED CLAIM \$ 22.016.92   | •  | UNSECURED PRIORITY CLAIM \$   |                                 |  |  |
| Attach evidence of perfection o  | f security interest                        | Specify the priority of the claim.  |                                 |  |  |
| Brief Description of Collateral:   |  | Wages, salaries, or commissions (up to \$2000),   |                                 |  |  |
| Real Estate Motor Ve   | ehicle Other (Describe)                    | before filing of the bankruptcy petition or cess<br>whichever is earlier) - 11 U.S.C. § 507 (a)(3)    | ation of the debtor's business, |  |  |
| Amount of arrearage and other cha  |  |   |                                 |  |  |
| above, if any \$ 8,025.17 Pre-Petiti   | on   | Contributions to an employee benefit plan -11   | U.S.C. § 507 (a)(4)             |  |  |
| ☐ UNSECURED NONPRIORITY  | CLAIM\$                                    | Up to \$900 of deposits toward purchases, lease, or rental of property or                             |                                 |  |  |
| A claim is unsecured if there is no  |  | services for personal, family or household use  | - 11 U.S.C. § 507 (a)(6)        |  |  |
| the debtor securing the claim or to property is less than the amount of  |  | ☐ Taxes or penalties of government units - 11 U.S.C. § 507 (a)(7)                                     |                                 |  |  |
| • • • • • • • • • • • • • • • • • • •  |  | Other - 11 U.S.C. § § 507 (a)(2), (a)(5) - (Describe briefly)   |                                 |  |  |
|  |  |   |                                 |  |  |
| 5. TOTAL AMOUNT OF CLAIM<br>AT THE TIME  |  |   |                                 |  |  |
| CASE FILED: \$ ———   | \$22,016.92                                |   | \$ 22,016.92                    |  |  |
| (Unsecur   | red) \$22,016.92<br>(Secured)              | (Priority)  | (Total)                         |  |  |
| Check this box if claim includes   | prepetition charges in addition to         | the principal amount of the claim. Attach itemized stat   | ement of all additional         |  |  |
| charges.   |  |   | <del></del>                     |  |  |
|  |  | m has been credited and deducted for the purpose of d all amounts that claimant owes to debtor.       | THIS SPACE IS                   |  |  |
|  |  | s, such as promissory notes, purchase orders, invoices,   | FOR COURT USE ONLY.             |  |  |
| itemized statements of running acc   | ounts, contracts, court judgments,         | or evidence of security interests. If the documents are   | J., 12.                         |  |  |
| not available, explain. If the docum   |  |   |                                 |  |  |
| 8. TIME-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.   |  |   |                                 |  |  |
| Date: Sign and p   | rint the name and title, if any, of        | he reditor or other person authorized to file this claim  |                                 |  |  |
| (attach copy of power of attorney, if any) // /  |  |   |                                 |  |  |
| 9/30/03 / MOUSE / MOUS |  |   |                                 |  |  |
|  | SHAWNTEE R. JACKSON, BANKRUPTCY SPECIALIST |   |                                 |  |  |
| The first of 1.1 and a   | 1 : - : : : : : : : : : : : : : : : : :    | 1 1 10 10 10 10 10 10 10 10 10 10 10 10   | 1 44                            |  |  |

FILED B10 (Official Form)Rev 6/91 United States Bankruptcy Court PROOF OF CLAIM CENTRAL DISTRICT OF CALIFORNIA 2003 DEC 22 AMII: 51 In re(Name of Debtor) DOUGLAS LUBERTS Case Number 03-17833 Note: This form should not be used to make a claim for an administrative expense arising after the commencement of the class. B PARRUPTCY COURT A "request" of payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503. The Clean of Court Name of Creditor: Check box if you are aware that anyone else has filed (The person or entity to whom the debtor owes money or property.) a proof of claim relating to your claim. Attach copy of DE DEPUTY CLE BMW BANK OF NORTH AMERICA, a wholly owned subsidiary statement giving particulars. of BMW FINANCIAL SERVICES NA. LLC Name and Addresses Where Notices Should be Sent Check him if you have never research to you go BMW FINANCIAL SERVICES NA. LLC from the bankruptcy court in this court 5515 PARKCENTER CIRCLE THIS SPACE IS DUBLIN, OHIO 43017 प्रतिकृत्य संक्रमा गर् Totale Constitution of the Constitution and additional constitution of the Constitutio Telephone No: 1-300-308-3939 EXT 7467 ONLY. the envelope sent to you by the court. Shawnteé R. Jackson Account of other marrises by which credits the countries decision 1000062701 Check here if this claim: a previously filed claim, dated: 10/06/2003 □ amends 1. BASIS FOR CLAIM: ☐ Goods sold Retiree benefits as defined in 11 U.S.C. § 1114(a) Services performed Wages, salaries, and compensations (Fill out below) Money loaned Your social security number Personal injury/wrongful death Unpaid compensations for services performed Taxes from Other (Describe briefly) 2. DATE DEBT WAS INCURRED: NOVEMBER 20, 2001 3. IF COURT JUDGMENT, DATE OBTAINED: 4. CLASSIFICATION OF CLAIM. Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2)Unsecured Priority, (3)Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM. ☐ UNSECURED PRIORITY CLAIM \$\_ SECURED CLAIM \$ 20.475.00 Specify the priority of the claim.

Wages, salaries, or commissions (up to \$2000), earned not more than 90 days Attach evidence of perfection of security interest Brief Description of Collateral: 1999 Land Rover Discovery Real Estate Motor Vehicle Other (Describe) before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier) - 11 U.S.C. § 507 (a)(3) Amount of arreamge and other charges included in secured claim above, if any \$ 8,025.17 Pre-Petition, \$2,315.44 Post-Petition Contributions to an employee benefit plan -11 U.S.C. § 507 (a)(4) Up to \$900 of deposits toward purchases, lease, or rental of property or ☐ UNSECURED NONPRIORITY CLAIM \$ services for personal, family or household use - 11 U.S.C. § 507 (a)(6) A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such ☐ Taxes or penalties of government units - 11 U.S.C. \$ 507 (a)(7) property is less than the amount of the claim. Other - 11 U.S.C. § § 507 (a)(2), (a)(5) - (Describe briefly) 5. TOTAL AMOUNT OF CLAIM AT THE TIME CASE FILED: \$20,475.00 \$ 20,475.00 (Unsecured) (Secured) (Priority) Check this box if claim includes prepetition charges in addition to the principal amount of the claim. Attach itemized statement of all additional 6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of THIS SPACE IS making this proof of claim. In filing this claim, claiment has deducted all amounts that claiment owes to debtor. FOR COURT USE 7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, ONLY. itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary. 8. TIME-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed 5/16 envelope and copy of this proof of claim.

SHAWNTEE R. JACKSON, BANKRUPTCY SPECIALIST Penalty for presenting fraudulent claim: Fine of up to \$500,000 or tylprisonment for up to 5 years, or both. 18 U.S.C. § § 152 and 3571.

Date: 12/16/03 Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of afformey, if any)

| B10 (Official Form)Rev 6/91  |  |   | F)                        |  |
|--|--|---|---------------------------|--|
| United States B  | ankruptcy Court  | PROOF OF CLAIM  | 301/FED - 2 PM            |  |
| In re(Name of Debtor) DOUGLA   | ICT OF CALIFORNIA<br>IS LUBERTS                                    | Case Number 03-17833  |                           |  |
| Note: This form should not be used to make a claim for an administrative expense arising after the continencement of the case.   |  |   |                           |  |
|  | ministrative expense may be filed pu                               |   | 4                         |  |
|  | ne debtor owes money or property.) RICA, a wholly owned subsidiary | Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. | H Dec Murs                |  |
| Name and Addresses Where No  |  | 4   | in.                       |  |
| BMW FINANCIAL SERVICES   |  | Check box if you have never received any notice   | 7,5                       |  |
| I  |  | from the bankruptcy court in this case.   |                           |  |
| 5515 PARKCENTER CIRCL  | £  | 1   | THIS SPACE IS             |  |
| DUBLIN, OHIO 43017   | 0 DVD 6406   | Check box if the address differs from the address on  | FOR COURT USE             |  |
| Telephone No: 1-800-398-393  | 9 EXT 7407   | the envelope sent to you by the court.  | ONLY.                     |  |
| Shawnteé R. Jackson  |  |   |                           |  |
| Account or other number by whit 1000062701   | ich creditor identifies debtor:                                    | ⊠replaces Check here if this claim: a previously filed claim: a previously filed claim: □ amends  | laim, dated: 12/22/2003   |  |
| 1. BASIS FOR CLAIM:  |  |   |                           |  |
| ☐ Goods sold   |  | Retiree benefits as defined in 11 U.S.C. § 1114(a)  |                           |  |
| Services performed   |  | Wages, salaries, and compensations (Fill out below)   |                           |  |
| Money loaned   |  | Your social security number   |                           |  |
| Personal injury/wrongful dea   | ath  | Unpaid compensations for services performed   |                           |  |
| ☐ Taxes  |  | from to   |                           |  |
| Other (Describe briefly)   |  |   |                           |  |
| 2. DATE DEBT WAS INCURRED  | D: NOVEMBER 20, 2001   | 3. IF COURT JUDGMENT, DATE OBTAINED:  |                           |  |
| 4. CLASSIFICATION OF CLAIM. Under the Bankruptcy Code all claims are classified as one or more of the following: (1)Unsecured nonpriority, (2)Unsecured Priority, (3)Secured. It is possible for part of a claim to be in one category and part in another.  CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM. |  |   |                           |  |
| SECURED CLAIM \$ 17,650.   | 00   | ☐ UNSECURED PRIORITY CLAIM \$   |                           |  |
| Attach evidence of perfection  |  | Specify the priority of the claim.  |                           |  |
|  | l: 1999 Land Rover Discovery                                       | Wages, salaries, or commissions (up to \$2000), earns   | ed not more than 90 days  |  |
| Real Estate Motor  | Vehicle Other (Describe)   | before filing of the bankruptcy petition or cessation<br>whichever is earlier) - 11 U.S.C. § 507 (a)(3)                                     | of the debtor's business, |  |
| Amount of arrearage and other cabove, if any \$ 8,025.17 Pre-Pet   | harges included in secured claim ition, \$3,736.23 Post-Petition   | Contributions to an employee benefit plan -11 U.S.C   | C. § 507 (a)(4)           |  |
| ☑ UNSECURED NONPRIORIT  A claim is unsecured if there is no  | Y CLAIM \$ 2,825.00<br>o collateral or lien on property of         | Up to \$900 of deposits toward purchases, lease, or r<br>services for personal, family or household use - 11                                |                           |  |
|  | to the extent that the value of such                               | ☐ Taxes or penalties of government units - 11 U.S.C.  | § 507 (a)(7)              |  |
|  | 43/  | Other - 11 U.S.C. § § 507 (a)(2), (a)(5) - (Describe br   | iefly)                    |  |
| 5. TOTAL AMOUNT OF CLAIM   |  |   |                           |  |
| AT THE TIME  | (  |   |                           |  |
| CASE FILED: \$ 2,825.00  | \$17,650.00  |   | 20,475.00                 |  |
| (Unsec   |  | (Priority)  | (Total)                   |  |
| Check this box if claim includes prepetition charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.  |  |   |                           |  |
| 6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of  THIS SPACE IS  |  |   |                           |  |
| making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.  FOR COURT USE   |  |   |                           |  |
| 7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices,  ONLY.  |  |   |                           |  |
| itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are   |  |   |                           |  |
| not available, explain. If the documents are voluminous, attach a summary.   |  |   |                           |  |
| 8. TIME-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed   |  |   |                           |  |
| envelope and copy of this proof of claim.  |  |   |                           |  |
|  |  | g creditor or other person authorized to file this claim  |                           |  |
|  | opy of power of aftorfney, if any)                                 | // /  | V/ / /                    |  |
| 1/26/04  |  |   | / (1) /                   |  |
|  | of rount Pl  | 1 Clour   | r T/i                     |  |
| 1  | SMAWNTEE R. JACK   | ON, BANKRUPTCY SPECIALIST   | 1/1/2                     |  |
| Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. § § 152 and 3571.   |  |   |                           |  |

Case 1:03-bk-17833-MT Doc 71-1 Filed 09/25/09 Entered 09/25/09 16:58:27 Des

Exhibit Page 4 of 5

Elizabeth Rojas 15060 Ventura Blvd. Suite 240 Sherman Oaks, CA 91403 Telephone: (818) 933-5700 Facsimile: (818) 933-5755



## UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA SAN FERNANDO VALLEY DIVISION

IN RE: CHAPTER 13 CASE NO. 03-17833-MT

DOUGLAS W LUBERTS

NOTICE OF INTENT TO PAY CLAIM
(Change of Creditor Address)

Debtor (Change of Creditor Address)

NOTICE IS HEREBY GIVEN TO DEBTOR AND COUNSEL, IF ANY, AND OTHER PARTIES IN INTEREST, that the Trustee has been notified that the below listed Creditor has changed its address. The Trustee intends to pay claims of the following Creditor at the new address listed below unless objection is made to the Clerk of the Court at Clerk of the Court, 21041 Burbank Blvd., Woodland Hills, CA 91367-1367 AND to the Chapter 13 Trustee at the above address, by the Debtor, Creditor or any other party in interest within fifteen (15) days from the date of this notice.

| PREVIOUS ADDRESS       | CURRENT ADDRESS                |
|------------------------|--------------------------------|
| BMW FINANCIAL SERVICES | BMW FINANCIAL SERVICES NA, LLC |
| 5515 PARKCENTER CIRCLE | 5550 BRITTON PARKWAY           |
| DUBLIN, OH 43017       | HILLIARD, OH 43026             |

THE ABSENCE OF A WRITTEN OBJECTION, TIMELY FILED WITH THE COURT AND PROPERLY SERVED, IS DEEMED AN APPROVAL BY THE DEBTOR, CREDITOR AND OTHER PARTIES IN INTEREST TO PAYMENT OF CLAIMS AS LISTED ABOVE.

DATE: December 11, 2008 /s/ Elizabeth Rojas

Elizabeth Rojas, TRUSTEE

## PROOF OF SERVICE

## STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

I declare under penalty of perjury that I am over the age of eighteen years and not a party to the within entitled action, I am employed by Elizabeth Rojas, Chapter 13 Standing Trustee, 15060 Ventura Blvd., Suite 240, Sherman Oaks, CA 91403, and that on December 12, 2008, I served the within document(s) on all parties in interest listed below, by placing a true copy of thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail addressed as follows:

DOUGLAS W LUBERTS 416 EUCLID AVENUE, #1 OAKLAND, CA 94610 PATRICIA SAID, ESQ 13443 MC CORMICK STREET SHERMAN OAKS, CA 91401

Clerk of the Court 21041 Burbank Blvd. Woodland Hills, CA 91367-1367

BMW FINANCIAL SERVICES 5515 PARKCENTER CIRCLE DUBLIN, OH 43017 BMW FINANCIAL SERVICES NA, LLC 5550 BRITTON PARKWAY HILLIARD, OH 43026

Executed at Sherman Oaks, California on December 12, 2008.

Ellen Heery

Claims Administrator